

LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

A.P.A.C. TENNESSEE, INC. – MEMPHIS DIVISION – BRICKEY'S QUARRY

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of
limestone in the state of Missouri. The extent of the

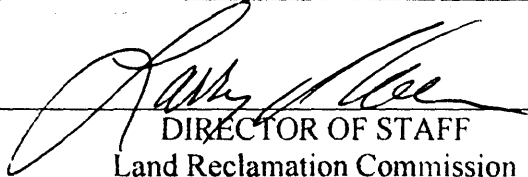
Proposed mining operation(s) will be on 876 acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Renewal

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Ste. Genevieve	13,14,23,24,26	39N	07E	876	0	876	Bloomsdale	0679

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 8th day of July 2004


DIRECTOR OF STAFF
Land Reclamation Commission

Permit No. 0718
Effective Date 07/16/2004
Expiration Date 07/15/2005



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
PERMIT RENEWAL FOR INDUSTRIAL MINERAL MINES

P.O. BOX 178
JEFFERSON CITY, MO 65102-0178

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL APAC TENNESSEE, INC. - MEMPHIS DIVISION - BRICKEY'S QRY.		DATE 6-2-04	
ADDRESS 13588 BRICKEY'S ROAD	CITY BLOOMSDALE	STATE MO.	ZIP CODE 63627
CONTACT PERSON RONALD NETEMEYER, P.E.		TELEPHONE NUMBER (573) 483 3475	

FEES: COMPLETE SECTION I OR SECTION II

SECTION I. Fees: Open pit operators and those mining more than 5,000 tons of sand and/or gravel:

1. To compute the site fee complete the information below:

SITE NAME OR NUMBER (add a separate sheet for additional sites)	Mark each month that the site will be operated during the permit year	For sites operated less than six months per permit year pay \$150 For sites operated six months or more per permit year pay \$300
1. NAME - BLOOMSDALE	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$ 300.00
2. NUMBER - 0679	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
3.	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
4.	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
5.	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
6.	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
7.	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
8.	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
9.	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
10.	Jan. Feb. Mar. Apr. May. Jun. Jul. Aug. Sep. Oct. Nov. Dec	\$
TOTAL SITE FEE		\$ 300.00

2. Acreage Fee \$5 X **876** number of acres bonded \$ **4,380.00**

3. Annual Permit Fee \$ **500**

4. Total Fee (Add totals from 1, 2 and 3) \$ **5,180.00**

NOTE: If Total Fee exceeds \$2,500.00 then pay only \$ **2,500.00**

SECTION II. FEES: Sand or gravel operators mining less than 5,000 tons per year:

1. Annual Permit Fee \$ **300**

SIGNATURE OF APPLICANT Ronald L Netemeyer	TITLE QUALITY CONTROL, P.E.	DATE 6-2-04
Appeared before me this 17th day of June , 20 04 , RONALD L. NETEMEYER to me personally known, who executed the above as their free acts and deeds. MO. DR. LICENSE		

NOTARY PUBLIC EMBOSSEER SEAL	STATE OF MISSOURI	COUNTY (OR CITY OF ST. LOUIS) USE RUBBER STAMP IN CLEAR AREA BELOW.
	SUBSCRIBED AND SWORN BEFORE ME, THIS 17TH DAY OF June YEAR 2004	
	NOTARY PUBLIC SIGNATURE Donna M. Kertz NOTARY PUBLIC NAME (TYPED OR PRINTED) DONNA M. KERTZ	

DONNA M. KERTZ
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
COUNTY OF ST. LOUIS
My Commission Expires: **NOV. 9, 2004**

FOR DEPARTMENT USE ONLY APPROVED BY 	DATE APPROVED 7.6.04	PERMIT NUMBER 0718
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RECEIVED

JUN 18 2004

7.15.05

RECEIVED

APR 17 2003



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
SITE INFORMATION

MISSOURI LAND
RECLAMATION COMMISSION

P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

Complete this form for each separate area of disturbance associated with mining operations.

SITE NAME OR NUMBER 0679 APAC Tenn. Inc. - Brickey's Quarry		PERMIT NUMBER 0718
COMPANY APAC Tennessee Inc.		
COUNTY St. Genevieve	1/4 SECTION	SECTION 13, 14, 23, 24, & 26
TOWNSHIP T-39-N	RANGE R-7-E	ACRES 876 Acres
RIVER OR STREAM NAME (FOR IN-STREAM ACRES)		
MINERAL COMMODITY Limestone		ESTIMATED TONS/YEAR (GRAVEL SITES) 2.6 Million Tons

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) Menefee FAMILY LTD. PARTNERSHIP		
ADDRESS P. O. Box 2287		
CITY Nashville	STATE Tennessee	ZIP CODE 37202
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> LEASE <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> VERBAL <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT June 24, 1996

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE)		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> LEASE <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> VERBAL <input type="checkbox"/> OTHER (DESCRIBE): _____		DATE OF AGREEMENT

NOTE: Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES
LAND RECLAMATION COMMISSION
MINE PLAN

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P.O. BOX 176
JEFFERSON CITY, MO 65102-0176

COMPANY NAME

MISSOURI LAND
RECLAMATION COMMISSION

TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

☒ LONG TERM, FOR PERIOD THROUGH DATE: June 24, 2096

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.

This plan covers approximately 876 acres (See Map 1, Exhibit 1). Much of the future mining area is steeply sloped and heavily wooded. The topsoil on the slope area is rocky and thin (approximately 12" in depth). The area north of the existing E-W stream is within the long-term, 50 year plan.

OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.

A. TOPSOIL

AVERAGE DEPTH OF TOPSOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING

Normal 12", Flat areas 12" - 18"

INCHES

IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?

☐ YES OR ☒ NO

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL

Removal of trees by Commercial Logger. After clearing, stumps will be removed by a Dozer, and topsoil will be removed by scrapers and haul trucks. The topsoil will be loaded onto the haul trucks with rubber tire loaders and stockpiles as shown in Map 2. Upon completion of Bloomsdale Ridge stripping, the topsoil piles will be shaped and seeded at locations shown until reclamation is complete.

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION

Topsoil will be placed at the locations shown on Map 1 via scrapers and haul trucks. The stockpiles will be shaped and seeded with Lespedeza (Kobe & Koreane), Wheat, Orchard Grass and Red Clover until reclamation is complete. Abatement of surface runoff will be controlled by placement of silt fence and / or riprap ditch checks as necessary downstream of each topsoil pile.

PERMIT NO.

0718

SITE NUMBER/NAME

0679 APAC Tenn. Inc. - Brickey's Quarry

B. SPOIL

DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

Spoils and overburden consist of dirt and rock which overlay the clean rock. These will be moved via Front-end loaders and haul trucks and placed in fill areas. Overburden rock which has usable size, > 250 lbs. is sold and transported down river for use as bank stabilization.

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MISSOURI LAND
RECLAMATION COMMISSION**C. ACID MATERIALS**

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)

NONE

D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

See Attached Map for details.

Mining operations are currently being performed on Bloomsdale Ridge from East to West. Upon approval of the expanded permit, stripping will begin on Mamie's Ridge progressing from East to West to allow mining to an approximate floor elevation of 400. Future plans include mining the Platin formation to elevation 325 beginning at the existing shop and proceeding West beneath the area designated as proposed lake. Phase details are shown in the mining sequence.

YES NO☒

|

Will any excavation be at or within fifty feet (50') of the right-of-way of any public road? *

☐☒

Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right-of-way, and in no case may the excavation be closer to the right-of-way than fifty feet or twenty-five feet plus one and one-half (1½) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐☒

Will any excavation start at or within fifty feet (50') of any property line? (NOTE: If the answer is "YES", a safety barrier may be needed.)

PERMIT NO.

0718

SITE NUMBER/NAME

0679 APAC Tenn. Inc. - Brickey's Quarry

MO 780-1327 (5-02)

PAGE 2 OF 5

* SEE ATTACHED LETTER FROM ST. GENEVIEVE CO. AUTHORIZING VACATION OF APPROXIMATELY 1 MILE OF BRICKEY'S ROAD.

RECLAMATION PLAN - 10 CSR 40-10.020(2)(D)2.**A. REVEGETATION** (Attach additional sheets, if needed)

REVEGETATION MIX #1

PURPOSE OR LAND USE
Wildlife

B. SEEDING OR PLANTING TIME

Spring - March through May

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

The area will be tilled by disking, and seeded by drilling or broadcasting. Re-seeding will be performed as needed in order to sufficiently control erosion.

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MISSOURI LAND
RECLAMATION COMMISSION

Lime and fertilizer will be applied according to recommendations based upon soil test analyses from a qualified soils lab. Mulch will be applied to all slopes exceeding 5:1.

SEEDING SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
1. Lespedeza (Kobe & Koreane)	1. 8 - 10		
2. Wheat	2. 5 - 7		
3. Orchard Grass	3. 10 - 12		
4. Red Clover	4. 10 - 12		

REVEGETATION MIX #2

PURPOSE OR LAND USE

B. SEEDING OR PLANTING TIME

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

Lime and fertilizer will be applied according to recommendations based upon soil test analyses from a qualified soils lab. Mulch will be applied to all slopes exceeding 5:1.

SEEDING SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

PERMIT NO.
0718

SITE NUMBER/NAME

0679 APAC Tenn. Inc. - Brickey's Quarry

B. GRADING

DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES

Upon completion, all areas outside lake will be graded to traversable slopes (3:1 or flatter) and graded to minimize erosion. Areas outside boundry of disturbance will remain as forrest with potential developement occuring along the rim of the lake.

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MISSOURI LAND
RECLAMATION COMMISSION**C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES**

GRADING

In accordance with 10 CSR-40-10.050 (10) (A) (C)

REPLACEMENT OF TOPSOIL

In accordance with 10 CSR-40-10.050 (10) (A) (C)

REVEGETATION

In accordance with 10 CSR-40-10.050 (10) (A) ~~(B)~~ (C)

AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)

D. USE OF LAND WHEN RECLAIMED

Estimate acreage of each land use below, after reclamation

ESTIMATED ACRES:

Wildlife (forest or other habitat with livestock excluded)

534

Agricultural (pasture, cropland, and horticultural)

0

Development (residential, industrial, and recreational)

100

Water impoundments (for wildlife, agriculture, or development)

242

PERMIT NO.

0718

SITE NUMBER/NAME

0679 APAC Tenn. Inc. - Brickey's Quarry

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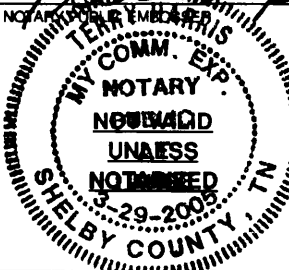
FEB 10 2003

By my signature, I attest to the following:

MISSOURI LAND RECLAMATION COMMISSION

MISSOURI LAND RECLAMATION COMM

1. All statements made on this Mine Plan Form are correct, complete and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.790, RSMo 2001, and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's (for all lease agreements made after August 28, 1990 on leased land) for all proposed post-mining land uses.
4. I have obtained the approval of all landowner's, (for all lease agreements made after August 28, 1990 on leased land) for all proposed seed mixtures.
5. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

SIGNATURE OF APPLICANT <i>[Signature]</i>		TITLE <i>Vice-President</i>	DATE <i>2-7-03</i>
	STATE <i>TENNESSEE</i>		COUNTY (OR CITY OF ST. LOUIS) <i>SHELBY</i>
	SUBSCRIBED AND SWORN BEFORE ME, THIS <i>7th</i> DAY OF <i>FEBRUARY</i> YEAR <i>2003</i>		USE RUBBER STAMP IN CLEAR AREA BELOW.
	NOTARY PUBLIC SIGNATURE <i>Terry Harris</i>	MY COMMISSION EXPIRES <i>3/29/2005</i>	
	NOTARY PUBLIC NAME (TYPED OR PRINTED) <i>TERRY HARRIS</i>		
FOR DEPARTMENT USE ONLY			
APPROVED BY <i>[Signature]</i>		DATE APPROVED <i>6/25/03</i>	PERMIT NUMBER <i>0718A1</i>
PERMIT NO. <i>0718</i>		SITE NUMBER/NAME <i>0679 / Bloomsdale</i>	

HOURS
8:30 A.M. - 12:00 NOON
MONDAYS & THURSDAYS

PHONE #
1-573-883-7202
ROOM #1

LINDA L. HERMANN
District #1 Commissioner

County Commission
OF
STE. GENEVIEVE COUNTY
Ste. Genevieve, Missouri 63670

DENNIS "TOUPIE" HUCK
Presiding Commissioner

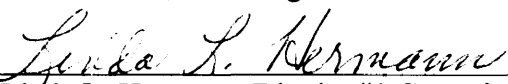


RAY H. GETTINGER
District #2 Commissioner

VACATING PORTION OF BRICKEY'S ROAD

On this 4th day of February, 2002, The Ste. Genevieve County Commission hereby Orders the Vacation of Approximately one (1) mile of Brickey's Road having been officially petitioned and publicly posted on the 9th day of October, 2001 (19th day of the August term) and the first reading having been publicly read on the 5th day of November, 2001 (Regular day of the November term) and the second reading having been publicly read this 4th day of February, 2002 (Regular day of the February term).


Dennis Huck, Presiding Commissioner


Linda L. Hermann, District #1 Commissioner

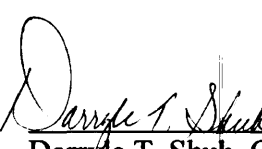

Ray H. Gettinger, District #2 Commissioner

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MAY 7 2003

MISSOURI LAND
RECLAMATION COMMISSION

ATTEST:


Darryle T. Shuh, County Clerk

